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Commonwealth v Bratter, Thomas

2 Charges for Docket: MICR1993-01559

No.	Indictment:	Charge Description:	Status:
1	MIDA93-01559	Rape	Nolle prosequi
2	MIDA93-01559	Indecent assault & battery on person 14 or over	Nolle prosequi

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Commonwealth v Bratter, Thomas

4 Attorneys Associated with Docket: MICR1993-01559 | [Click last name to view contact information](#)

No.	Last Name:	First Name:	Party Role:	Representing:
1	Ames	Mary K	Defendant	Bratter, Thomas
2	Carroll	Judith Ann	Plaintiff	Commonwealth
3	Connell	Patrick D	Plaintiff	Commonwealth
4	Galvin	John M	Defendant	Bratter, Thomas

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No.	Entry Date:	Paper No:	Docket Entry:
1	09/30/1993	1	Indictment returned
2	09/30/1993		Note: 001 (2cts) 002 (3cts)
3	10/06/1993	2	Summons for arraignment issued and copy returned. Return Date:
4	10/12/1993		Appearance of Commonwealth's Atty: Connell
5	10/12/1993		Appearance of Deft's Atty: Galvin for arraignment only.
6	10/12/1993	3	Motion by Deft: Pro Vice Mal, Filed in Court.
7	10/12/1993		Deft Motion #3 allowed (Robert A Barton, Justice)
8	10/12/1993		Appearance of Deft's Atty: Thomas P. Puccio, 277 Park Ave. New York,
9	10/12/1993		Deft arraigned before Court
10	10/12/1993		RE offense 1: Plea of not guilty to each count

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No.	Entry Date:	Paper No:	Docket Entry:
11	10/12/1993		RE offense 2: Plea of not guilty to each count
12	10/12/1993		Bail set: \$50,000 With surety or \$5000 cash to be posted on or before
13	10/12/1993		Continued until 11/1/93 for PTC by agreement.
14	10/12/1993		Reporter present: Nancy Lowney
15	10/13/1993	4	Bail satisfied: \$\$5000 Red No.6643
16	11/01/1993		Continued until 12/15/93 for NEM by agreement. Defendant excused.
17	11/01/1993		Reporter present: Nancy Lowney
18	11/01/1993	5	Pre-trial conference report, filed in Court.
19	12/15/1993		Continued until 1/7/94 for NEM by agreement.
20	12/15/1993		Reporter present: Nancy Lowney

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No.	Entry Date:	Paper No:	Docket Entry:
21	01/03/1994	6	Motion by Deft: For Exculpatory Evidence.
22	01/03/1994	7	Motion by Deft: To Have Complaining Witness Tested For Competency.
23	01/03/1994	8	Motion by Deft: For List Of All People Interviewed By The Police
24	01/03/1994	9	Omnibus Motion by Deft: For Discovery And Proceedings Pursuant To
25	01/03/1994	10	Motion by Deft: For Probation Records Of The Commonwealth's
26	01/03/1994	11	Motion by Deft: For Discovery.
27	01/03/1994	12	Motion by Deft: To File Motions Late.
28	01/07/1994		Continued until 2/3/94 for NEM by agreement.
29	02/03/1994		Continued until 2/25/94 for status by agreement.
30	02/03/1994		Deft Motion #6 After hearing motion is denied, without prejudice

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31	02/03/1994		Deft Motion #7 Opposed by Commonwealth.
32	02/03/1994		Deft Motion #8 Opposed by Commonwealth.
33	02/03/1994		Deft Motion #10 Commonwealth Agrees To Provide Deft With The Names
34	02/03/1994		Deft Motion #11 (1) Opposed as unclear (2) No (3) Agreed that
35	02/03/1994		Deft Motion #12 Commonwealth agrees to permit further motions within
36	02/03/1994	13	Commonwealth Files Notice Of Discovery.
37	02/03/1994		Reporter present: Nancy Lowney
38	02/03/1994	14	Commonwealth Files Response To Defendant's Non-Evidentiary Motions.
39	02/25/1994		Continued until 3/28/94 for NEM by agreement.
40	03/28/1994		Continued until 4/13/94 for NEM by agreement.

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41	03/28/1994		Reporter present: Nancy Lowney
42	04/13/1994		Continued until 5/17/94 for NEM by agreement.
43	04/13/1994		Reporter present: Nancy Lowney
44	05/05/1994	15	Motion by Deft: For Reconsideration (Bishop-Civilian Witnesses)
45	05/13/1994	16	Motion by Deft: To Compel Commonwealth to Have Witness Sign
46	05/16/1994		Deft Motion (P#15) This Court Does Not View the Courts Statement in
47	05/17/1994		Deft Motion (P#16) denied (Robert H Bohn, Justice)
48	05/17/1994	17	Motion by Deft: For an Order Compelling the Production of Records
49	05/17/1994		Deft Motion (P#17) allowed (Robert H Bohn, Justice)
50	05/17/1994	18	Petition Requeusting Subpoena Duces Tecum for Production of Out-Of-

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No.	Entry Date:	Paper No:	Docket Entry:
51	05/17/1994		Deft Petition (P#18) allowed (Robert H Bohn, Justice)
52	05/17/1994	19	Order: Production of Records under Commonwealth vs Bishop, (Robert H
53	05/17/1994	20	Order: Production of Records under Commonwealth vs Bishop (Robert H
54	05/17/1994		Continued until 06/29/94 Bishop Status
55	05/17/1994		Reporter present: Betty Buchnan
56	05/27/1994		Hospital Records From McLean Hospital Received
57	06/14/1994		Hospital records from St. Elizabeth received
58	06/24/1994		Hospital records from Univ Of New Jersey School of Medicine received
59	06/29/1994		Continued until 08/24/94 status
60	06/29/1994		Reporter present: Elizabeth Buchanan

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61	07/11/1994		Hospital records from Dr. S.B. Khanna
62	07/12/1994		Counseling Records Received From James Sitlaney MD
63	08/24/1994		Continued until 09/28/94 Status
64	08/24/1994		Reporter present: Elizabeth Buchanan
65	09/28/1994		Continued until 12/1/94 for Bishop Status
66	09/28/1994		Reporter present: Elizabeth Buchanan
67	12/01/1994		Continued until 1/4/95 for Bishop Status
68	12/01/1994		Reporter present: Elizabeth B Piper
69	12/02/1994	21	Summons for records to Dr Albert Nontano-DiFabio, N.J (Charles J
70	12/02/1994	22	Summons for records to Dr Leslie Powers, N.Y.(Charles T Spurlock,

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No.	Entry Date:	Paper No:	Docket Entry:
71	12/02/1994		Reporter present: Elizabeth B Piper
72	01/04/1995		Continued until 2/9/95 for Bishop Motion
73	01/04/1995		Reporter present: Elizabeth B Piper
74	01/05/1995	23	Deft files Status Report (Psychiatric/Medical,etc Records) filed in
75	01/05/1995	24	Motion by Deft: to Have Non-Privileged Psychiatric and Medical
76	02/09/1995		Continued until 3/10/95 for Bishop Motion
77	02/09/1995		Reporter present: Elizabeth B Piper
78	03/03/1995		Mental Health records from JFK Medical Center of Edison, N J
79	03/10/1995		Continued until 4/3/95 for Bishop Status
80	03/10/1995		Reporter present: Elizabeth B Piper

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81	03/30/1995		Continued until 4/25/95 for LC (Regina L Quinlan, Justice)
82	03/31/1995		Medical records received from Alberta Montano-Di Fabio, I.C.A.D.C.
83	04/19/1995		Records received from Carrier Foundation
84	04/25/1995		Continued until 05/24/94 for Status
85	04/25/1995		Reporter present: Elizabeth B Piper
86	04/25/1995	25	Motion by Deft: to dismiss (Impounded)
87	04/25/1995	26	Motion by Deft: To Suppress Evidence Derived fr. Wiretap Information
88	05/24/1995		Continued until 06/07/95 for BM
89	05/24/1995		Reporter present: Elizabeth B Piper
90	06/07/1995		Continued until 7/20/95 for EM

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91	06/07/1995		Reporter present: Elizabeth B Piper
92	07/20/1995		Continued until 8/8/95 for EM
93	07/20/1995		Reporter present: Virginia Karas
94	08/08/1995		Continued until 9/7/95 for EM
95	08/08/1995		Reporter present: Warren Greenlaw
96	09/01/1995	27	Motion by Deft: To Continue And Impound, With Affidavit, Filed In
97	09/01/1995		Deft Motion (P#27) Allowed By Agreement (Joseph M Marshall, CM)
98	09/01/1995		Paper #27 Impounded
99	09/27/1995		Continued until 10/13/95 for EM
100	10/13/1995		Continued until 11/13/95 for EM

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No.	Entry Date:	Paper No:	Docket Entry:
101	10/13/1995		Reporter present: Jacquelyn Healey (BA)
102	11/09/1995	28	Motion by Deft: For Advance And Cotninuance, Filed in Court
103	11/09/1995		Reporter present: Harrie Sears
104	11/09/1995		Deft Motion (P#28) Allowed (Paul A Chernoff, Justice)
105	11/09/1995		Continued until 12/01/95 for Motions
106	11/15/1995	28	Deft files Supplemental Memorandum In Support Of Motion To Dismiss
107	11/15/1995	28	Deft files Supplemental Memorandum In Support Of Motion To Suppress
108	11/15/1995	28	Deft files Supplemental Motion To Suppress Evidence Derived From
109	12/01/1995		Continued until 12/15/95 for status
110	12/01/1995		Reporter present: Harriet Sears

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111	12/15/1995		Continued until 1/5/96 for status
112	12/15/1995		Reporter present: Harriet Sears
113	01/05/1996		Continued until 1/29/96 for EM
114	01/05/1996		Reporter present: Joan Cave
115	01/24/1996		Continued until 2/27/96 for EM by agreement
116	02/27/1996		Continued until 3/21/96 for Motion to Dismiss
117	02/27/1996		Reporter present: John Lynch
118	02/27/1996		Appearance of Commonwealth's Atty: Carroll Filed
119	02/27/1996	29	Motion by Deft: To Advance And Continue Filed
120	02/27/1996		Motion (P#29) allowed (Joseph M Marshall C/M)

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121	03/19/1996		04/23/96 for Status
122	03/19/1996		Reporter present: Bob Jacques
123	03/19/1996	30	Motion by Deft: To Advance And Continue With Affidavit Filed In Court
124	03/19/1996		Motion (P#30) after hearing allowed ADA. J. Carroll has no objection
125	04/23/1996		Continued until 05/03/96 for Question of Counsel
126	04/23/1996		Reporter present: Debra Belanger
127	04/30/1996		Appearance of Deft's Atty: Ames
128	05/03/1996		Sent to 8B
129	05/03/1996	31	Motion to Assign Dates
130	06/16/1996	32	Motion To Continue, Filed In Court

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131	06/19/1996		Returned to First Session
132	06/19/1996		Continued until 7/16/96 for status and 8/26/96 for motions
133	06/19/1996		Reporter present: David McAuliffe
134	06/24/1996		Motion (P#32) Counsel Came Into Court Returning From Court Room 8B By
135	08/23/1996	33	Joint Motion For Continuance, Filed in Court
136	08/23/1996		Motion (P#33) Allowed By Agreement Of Counsel (Lucie B Pasquale, ACM)
137	08/23/1996		Rule 36 Waived As To This Continuance
138	08/23/1996		Continued until 10/10/96 for Motion to Suppress
139	10/09/1996	34	Motion by Deft: For Further Continuance Filed in Court
140	10/09/1996		Motion (P#34) allowed (Lucie B Pasquale, A/C/M)

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141	10/09/1996		Rule 36 waived
142	10/09/1996		Reporter present: Erika Goldberg
143	12/16/1996		Continued until 2/26/97 for Motion Hearing
144	12/16/1996		Rule 36 Waived
145	12/16/1996		Reporter present: Debbie Belanger
146	02/25/1997		Request For Continuance Filed And Allowed (Raymond J Brassard,
147	03/13/1997	35	Nolle prosequi filed in Court
148	03/13/1997		RE offense 1: Nolle prosequi
149	03/13/1997		RE offense 2: Nolle prosequi

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No. Docket Entry:

- 1 Deft Motion (P#15)This Court Does Not View the Courts Statement in
- 2 Commonwealth v. Parris S-J-94-003 that"2 do not consider the
- 3 principles in Commonwealth v. Bishop 416, Mass. 169(1993) as
- 4 applicable only to sexual assault cases" to mean that Bishop to be
- 5 interpreted as expanding pre trial discovery of Bishop material to
- 6 witnesses other than the alleged victim, accordingly, the within
- 7 motion is DENIED, Roseman, J.

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Docket Entry Details for Docket: MICR1993-01559

No. Docket Entry:

- 1 Deft Motion #11 (1) Opposed as unclear (2) No (3) Agreed that
- 2 Commonwealth will provide names of said New Jersey Police Officers
- 3 and their reports. (4) Already provided.

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